

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: S. T. Tran
JOSEPH LUBER ET AL.)	
	:	Group Art Unit: 1615
Application No.: 09/966,493)	
	:	Confirmation No.: 5286
Filed: September 28, 2001)	
	:	
For: IMMEDIATE RELEASE TABLET)	October 29, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL OF
ERRONEOUS NOTICE OF ABANDONMENT

Sir:

Applicants have received a Notice of Abandonment dated October 23, 2007, in the above-identified application. The Notice of Abandonment states that "This application is abandoned in view of: The issue fee and publication fee, if applicable, has not been received." Applicants respectfully request that this Notice of Abandonment be withdrawn for the following reasons.

On September 20, 2007, Applicant timely filed a Fee Transmittal sheet via facsimile, which authorized the Director to charge the required fees of \$1700 (Issue Fee and Publication Fee) to Deposit Account Number 10-0750.

The Fee Transmittal was filed with a Certificate of Mailing or Transmission, which was signed by Evelina C. Smith, of Johnson & Johnson, on September 20, 2007. A copy each of (1) the Fee Transmittal sheet, (2) the fax communication report confirming transmission, and (3) the Auto-Reply Facsimile Transmission report generated by the Patent and Trademark Office are enclosed.

Thus, the Fee Transmittal sheet was timely filed in the Patent and Trademark Office and the present application therefore was not abandoned.

In view of the foregoing, it is respectfully requested that the erroneous Notice of Abandonment be withdrawn, and that the present application be returned to pending status and promptly acted on.

It is believed that no fee is required for action on this Request; for any fee that is required, please charge Deposit Account 10-0750.

Applicants' undersigned attorney may be reached in our office by telephone at the number listed below. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Victor Tsu/

Attorney for Applicants
Victor Tsu
Registration No. 46,185

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1767

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

27777 7590 06/25/2007

PHILIP S. JOHNSON
 JOHNSON & JOHNSON
 ONE JOHNSON & JOHNSON PLAZA
 NEW BRUNSWICK, NJ 08933-7003

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Evelina C. Smith (Depositor's name)
 [Signature] (Signature)
 September 20, 2007 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,493	09/28/2001	Joseph Lubcr	MCP-0274	5286

TITLE OF INVENTION: IMMEDIATE RELEASE TABLET

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	09/25/2007
EXAMINER	ART UNIT	CLASS-SUBCLASS				
TRAN, SUSAN T	1615	424-464000				

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

MCNEIL-PPC, INC.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

SKILLMAN, NEW JERSEY

Recorded: 01/29/2002

Reel/Frame: 012347/0288

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 10-0750 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Victor Tsu/

Date September 20, 2007

Typed or printed name Victor Tsu

Registration No. 46,185

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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* * * COMMUNICATION RESULT REPORT (SEP. 20. 2007 2:58PM) * * *

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Evelina C. Smith (Depositor's name)
[Signature] (Signature)
September 20, 2007 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,493	09/28/2001	Joseph Lubner	MCP-0274	5286

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EXAMINER	ART UNIT	CLASS-SUBCLASS				
TRAN, SUSAN T	1615	424-464000				

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☐ "Fee Address" Indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

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2 _____
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(A) NAME OF ASSIGNEE

MCNEIL-PPC, INC.

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

SKILLMAN, NEW JERSEY

Recorded: 01/29/2002

Reel/Frame: 012347/0288

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

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☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 10-0750 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature /Victor Tsu/Date September 20, 2007Typed or printed name Victor TsuRegistration No. 46,185

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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TO: ISSUE FEE **PART B - FEE(S) TRANSMITTAL**

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NEW BRUNSWICK, NJ 08933-7003

NOTE: A certificate of mailing one only be used for duplicate mailings of this form. This certificate cannot be used for any other correspondence. Submit three additional copies, each of a separate or former drawing, with this form for mailing or transmission.

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I hereby certify that this Form is being deposited with the United States Postal Service with sufficient postage for this class mail in an envelope addressed to the Mail Stop **ISSUE FEE** address above, or being otherwise transmitted to the USPTO (571) 273-2885, on the date indicated below.

Signature: Evelyn C. Smith **(Signature)**
Date: September 20, 2007 **(Date)**

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/06/07	09/28/2001	Joseph Luber	MCP-0274	5286

TITLE OF INVENTION: IMMEDIATE RELEASE TABLET

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Nonprovisional	NO	\$1400	\$300	\$0	\$1700	09/25/2007

TRANSMISSION	AUT UNIT	CLASS SUBCLASS
TRAN, SUSAN T	1615	474-46400

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.103)

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB-123) attached.

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(2) the name of a single firm (listing all a member a registered attorney or agent) and the names of up to 3 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

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(A) NAME OF ASSIGNEE: **MCNEIL-PPC, INC.**

(B) RESIDENCE (CITY AND STATE OR COUNTRY): **SKILLMAN, NEW JERSEY**

Recorded: 01/29/2002
Real/Framed: 012347/0288

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

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☒ The Director is hereby authorized to charge the indicated fee(s), any deficiency, or credit any overpayment, to Deposit Account Number: 11-0750 (Include an e-copy of this form).

5. Change in Filing Status (See notes indicated above)

☐ a. Applicant claims **SMALL ENTITY** status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming **SMALL ENTITY** status. See 37 CFR 1.27(c)(2).

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Authorized Signature: Victor Tsu **Date:** September 20, 2007

Typed or printed name: Victor Tsu **Reference No.:** 46,185

DISCLOSURE OF INFORMATION: It is required by 37 CFR 1.111. The information is required to obtain or retain a benefit by the public which is in the (and by the USPTO in process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This disclosure is required to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. There will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or any other information should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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PAGE 1/1 RCVD AT 9/20/2007 1:55:39 PM [Eastern Daylight Time] SVR:USPTO-EPXRF-317 CWS:2732885 CSD:7325242808 DURATION (min-sec):00:42